

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DOYLE TUCKER, and NEVA TUCKER;

Plaintiffs,

vs.

VICTOR PEREZ; et. al;

Defendants.

8:13CV367

ORDER

Non-parties Farm Credit Services of America, FLCA and Farm Credit Services of America, PCA (collectively referred to as “FCSA”) object to a subpoena issued by plaintiffs Doyle Tucker and Neva Tucker which commanded FCSA to produce all documents and loan files for defendants MF&R, Inc. and Meyers Brothers. FCSA also moves for an order protecting its rights and the rights of non-parties if the court decides to enforce the subpoena. ([Filing No. 83](#)).

As explained in its filing, defendants MF&R, Inc. and Meyers Brothers have not consented to releasing the requested documents, production has not been ordered by the court, and the requested documents include confidential information of non-parties who have neither consented to disclosing their documents nor been notified of the subpoena. FCSA states that before the court enters an order enforcing the subpoena, non-parties should be notified and afforded an opportunity to object, the parties and their counsel should be subject to a protective order to preserve the confidentiality of the documents produced and to prohibit the use of those documents in any other proceedings, and the plaintiffs should be ordered to reimburse FCSA for the costs FCSA will incur to review the documents and redact confidential non-party information. ([Filing No. 83, at CM/ECF p. 3, ¶ 8](#)).

FCSA filed its objection and request for relief on November 12, 2014. More than 14 days have passed and no response has been filed. The plaintiffs' subpoena demanded production on November 21, 2014. FCSA did not comply, and the plaintiffs did not file a motion to compel.

After considering FCSA's objection and arguments,

IT IS ORDERED that the Objection to Subpoena filed by Farm Credit Services of America, ([Filing No. 83](#)), is sustained.

December 1, 2014.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge

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